

MEMORANDUM



Date: May 22, 2010

Time: 1400

Agencies on Call:

United States Coast Guard (USCG)

Environmental Protection Agency (EPA)

DOC / National Oceanic & Atmospheric Administration (NOAA)

Department of Interior (DOI)

Louisiana Department of Environmental Quality (LDEQ)

Louisiana Oil Spill Coordinators Office (LOSCO)

National Parks Service

- EPA convened the R6 RRT to discuss the Dispersant Monitoring and Assessment Directive - Addendum 2 signed on May 19th by EPA and USCG and issues related to its implementation.

Surface Application

- The EPA Co-Chair inquired as what SMART data was showing in regard to surface application of dispersants. The USCG Co-Chair and NOAA representative stated they had seen no compelling evidence surface application was ineffective. Charlie Henry reminded RRT members weather plays a significant role in the effectiveness, and so effectiveness does vary by application. All current monitoring of dispersants is in compliance with the RRT VI Dispersant Pre-approval.
- The USCG and the NOAA SSC in Houma did identify some spotters to reliably assess dispersant placement and effectiveness. As a result NOAA SSC Ed Levine conducted a half day training last week for spotters.
- It was also pointed out in the last 48-72 hours, the focus has been on surface application by vessel at the well site, not on aerial application. As a result, monitoring indicates the amount of VOCs near the well site has been reduced as well as the total amount of dispersant applied.
- Additionally, at times the SMART monitoring may only provide a snapshot of the efficacy of the dispersant application, and not a comprehensive look or toxicity as required in the SMART monitoring protocol and RRT 6 guidance based on the studies that have been conducted over the last 20 years and dispersant operations that have been conducted in the Gulf of Mexico over the last 12 years.

Evaluation of Dispersant Toxicity

- The EPA Co-Chair requested information on how the toxicity of dispersants had been evaluated by Unified Command in the selection of a dispersant. It was suggested the fact the dispersant was listed on the NCP Product Schedule and identified in the RRT VI plan.
- The USCG Co-Chair was concerned about potential USCG liability if the USCG essentially directing a responsible party not to use a product that EPA has placed on the Subpart J list. If the dispersant has been approved by the RRT then it should be used based on overall effectiveness. In addition, 15 ppm is considered a hazardous quantity for oil...which is a silvery sheen on the surface. Adding a chemical with less toxicity than the large amounts of black oil being discharged does not make it more toxic. The argument for using a different dispersant is ludicrous based on toxicity alone. More factors have to be considered.
- The NOAA representative expressed concern because he felt most listed dispersants had only limited lab data to support their toxicity values whereas there was a much larger body of historical data to characterize the potential effects of Corexit 9500 and 9427. He continued that because Corexit 9500 which is being used subsea is probably the only dispersant that NOAA could potentially connect to toxicity effects in marine animals.
- The NOAA Trustee representative and the EPA Region 6 NOAA representative currently serving in Robert reiterated that NOAA was conducting extensive sampling of water chemistry, the water column, animal tissues, etc. that would address toxicity concerns through the NRDA process.
- LDEQ stated they were concerned about engaging in a "research project" during an ongoing spill response operation using any dispersant that had only minimal lab data supporting its toxicity values compared to the historical data behind Corexit.
- DOI has requested to see data that can be used for interpretation to guide the adaptive management process.
- NOAA also mentioned BP was concerned about the use of water-based dispersants for the subsurface application due hydrate formation and the clogging of the wand that was being used to apply the dispersant.
- It was made clear the RRT would need to justify decisions on continued use of dispersants, based on toxicity and other factors.

Directive Compliance

- The FOSC will report out to the RRT on the effectiveness and monitoring of surface and subsurface dispersant application and on the documentation BP will be providing to the FOSC and EPA RRT Co-Chair to document compliance with the directives. This will be scheduled in the near future once the FOSC has had the opportunity to discuss reporting with BP. The FOSC would continue to use an adaptive management strategy for the use of various spill technologies including mechanical recovery, in situ burning, and dispersant use.